

REMARKS

Summary of the Office Action

In the Office Action dated September 10, 2003, claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 stands rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Dependent claims 2-6 stand rejected for the same reasons as set forth above with regard to claim 1. The drawings are objected to under 37 C.F.R. § 1.83(a) accordingly because the drawings must show every feature of the invention specified in the claims.

Summary of this Amendment

Applicant amends Figures 3A-3C to show every feature of independent claim 1. Applicant amends independent claim 1 as provided herein to comply with the requirements of 35 U.S.C. § 112, first and second paragraphs.

The Amendment to the Drawings

The drawings are objected to under 37 C.F.R. § 1.83(a) accordingly because the drawings must show every feature of the invention specified in the claims. Applicant amends Figures 3A-3C to show every feature of independent claim 1. Specifically, step S105 in Figure 3A has been

amended to recite “(second level)” rather than “(program and verification).” Step S114 in Figure 3B has been amended to recite “(third level)” rather than “(program and verification).” Step S124 in Figure 3C has been amended to recite “(fourth level)” rather than “(program and verification).”

Applicant respectfully submits that this amendment is fully supported in the original specification as filed at least by the recitation at pages 8-14 of the specification. A Submission of Replacement Drawing Sheets incorporating the proposed amendments to Figure 3A-3C is being filed concurrently herewith.

In view of the foregoing amendments to the drawings, Applicant respectfully submits that the drawings fully comply with the requirements of 37 C.F.R. § 1.83(a). Accordingly, Applicant respectfully requests that the objections to the drawings be withdrawn.

The Rejections under 35 U.S.C. § 112, first and second paragraphs

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 stands rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Dependent claims 2-6 stand rejected for the same reasons as set forth above with regard to claim 1.

Applicant amends independent claim 1 as provided herein. Applicant respectfully submits that this amendment is fully supported in the original specification as filed at least by the recitation at pages 8-14 of the specification. In view of the amendment to claim 1, this claim complies with the requirements of 35 U.S.C. § 112, first and second paragraphs. Accordingly, Applicant respectfully requests the withdrawal of the rejections of claims 1-6 under 35 U.S.C. § 112, first and second paragraphs.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration, withdrawal of all rejections and objections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

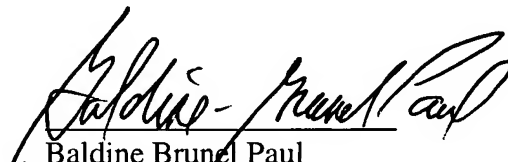
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 12, 2004

By:


Baldine Brunel Paul
Registration No. 54,369

Customer No. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001